

**From:** Lindsay Todd <todd@mdjwlaw.com>  
**Sent:** Monday, February 25, 2019 10:56 AM  
**To:** Andrew Slania; Ben Wickert  
**Cc:** Evan Johnston; Chris Martin; Wayne Pickering; Andrew Schulz; Heidi Mathis  
**Subject:** Scottsburg Hospitality dba Motel 6 v. Rockhill - Motion for Protective Order/Quash

Good morning,

Our office is filing a motion for protective order today in regards to Sherri King's deposition. She will not be presented on Wednesday.

Please contact Andrew Schulz if you have any questions.

Thank you.

Lindsay

**Lindsay Todd | Of Counsel**  
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**From:** Erin Stracener  
**Sent:** Monday, January 14, 2019 4:25 PM  
**To:** Lindsay Todd; Ben Wickert  
**Cc:** Heidi Mathis  
**Subject:** RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

February 27<sup>th</sup> works. I'll forward the notice shortly.

**Erin Stracener**  
Paralegal



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**From:** Lindsay Todd <todd@mdjwlaw.com>  
**Sent:** Monday, January 14, 2019 4:18 PM  
**To:** Ben Wickert <BWickert@Raiznerlaw.com>  
**Cc:** Heidi Mathis <heidim@mdjwlaw.com>; Erin Stracener <estracener@raiznerlaw.com>  
**Subject:** RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Ben,

Can we reschedule this call to Wednesday or Thursday?

Also, Ms. King is available for her deposition the morning of February 27.

Thanks.

Lindsay

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**From:** Ben Wickert [<mailto:BWickert@raiznerlaw.com>]  
**Sent:** Friday, January 11, 2019 1:10 PM  
**To:** Lindsay Todd  
**Cc:** Evan Johnston; Heidi Mathis; Erin Stracener  
**Subject:** RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Works, thanks.

**Ben Wickert**  
Senior Attorney



[BWickert@Raiznerlaw.com](mailto:BWickert@Raiznerlaw.com)

(d) 713.554.9078

**Cc:** Andrew Slania; Amy Hargis; Evan Johnston  
**Subject:** RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Thanks Lindsay. We will check on dates as you requested.

Regarding your corporate representative witness, however, objections to 30(b)(6) topics are without legal effect under the Federal Rules. See, e.g., *Beach Mart, Inc. v. L&L Wings, Inc.*, 302 F.R.D. 396, 406 (E.D.N.C. 2014) ("[t]he proper procedure to object to a Rule 30(b)(6) deposition notice is not to serve objections on the opposing party, but to move for a protective order."). If you intend to move for protective order, I am happy to confer on that, but otherwise, we will be issuing our notice with all of the topics Erin provided. I have a deposition tomorrow, but am open on Thursday and Friday to confer.

Thanks,

Ben Wickert  
Senior Attorney

[BWickert@Raiznerlaw.com](mailto:BWickert@Raiznerlaw.com)

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-----Original Message-----

From: Lindsay Todd <[todd@mdjwlaw.com](mailto:todd@mdjwlaw.com)>  
Sent: Tuesday, January 08, 2019 4:36 PM  
To: Erin Stracener <[estracener@raiznerlaw.com](mailto:estracener@raiznerlaw.com)>; Heidi Mathis <[heidim@mdjwlaw.com](mailto:heidim@mdjwlaw.com)>  
Cc: Andrew Slania <[ASlania@raiznerlaw.com](mailto:ASlania@raiznerlaw.com)>; Ben Wickert <[BWickert@Raiznerlaw.com](mailto:BWickert@Raiznerlaw.com)>; Amy Hargis <[AHargis@raiznerlaw.com](mailto:AHargis@raiznerlaw.com)>; Evan Johnston <[johnston@mdjwlaw.com](mailto:johnston@mdjwlaw.com)>  
Subject: RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Erin,

Ms. King will also be the corporate representative for several topics and we will be objecting to other topics. She is not available on February 7 and 8 and we are checking on other dates. The deposition will be in St. Louis. What dates are you available after February 7 and 8.

We would also like dates for the depositions of Irvin Simmons (Motel 6 maintenance manager) and Yolanda Cervantes (manager).

Thank you.

Lindsay

-----Original Message-----

From: Erin Stracener [mailto:[estracener@raiznerlaw.com](mailto:estracener@raiznerlaw.com)]  
Sent: Tuesday, January 08, 2019 4:32 PM  
To: Lindsay Todd; Heidi Mathis  
Cc: Andrew Slania; Ben Wickert; Amy Hargis; Evan Johnston  
Subject: RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Lindsay,

Please provide dates for Sherri King and Rockhill Ins Co.'s Corporate Representative. We would like to get dates secured before mediation at the end of the month.

From: Erin Stracener [mailto:[estracener@raiznerlaw.com](mailto:estracener@raiznerlaw.com)]  
Sent: Friday, November 09, 2018 9:52 AM  
To: Lindsay Todd  
Cc: Heidi Mathis; Alejandrina Lopez; Andrew Slania; Ben Wickert; Amy Hargis  
Subject: RE: Scottsburg (Motel 6) v. Rockhill Insurance / DEPO SCHEDULING

Lindsay,

We would like to request dates for the depositions of Sherri King and Rockhill Ins Co.'s Corporate Representative. Please provide dates by 11/16/18.

We proposed the following dates: December 4th or 5th.

The topics for the Corporate Representative are as follows:

1. Handling of the claim at issue;
2. Decision-making regarding reserves set on this claim;
3. Decision-making regarding denial of Plaintiff's claim;
4. The underwriting files referring or relating in any way to the policy or property at issue in this action;
5. The procedures or policies or manuals related to the handling of property damage claims from 2015 to the present;
6. The training, oversight, or supervision of personnel employed in adjusting property claims in Texas from 2015 to the present;
7. The bonus or incentive plan for adjusters (whether they are full-time employees of Defendant or not) and managers responsible for property damage claims in Texas in effect for the time period;
8. The criteria and procedures for the selection and retention of independent adjusters and consultants handling windstorm damage claims including, where applicable, the contract between the Defendant and the Defendant's third party adjusting company responsible for adjusting Plaintiff's claim;
9. Policies and procedures for reserving practices for windstorm damage including but not limited to documents relating to any reserves applied to the subject claim;
10. General profit and loss information including but not limited to loss ratios information for the region encompassing Texas for the years 2015 to the present; and
11. Defendant's or any applicable affiliate companies, underwriting policies and procedures for commercial properties including loss control processes, pre-insurance inspections, risk ratings, premium assignments, and renewal procedures.

Thank you,

Erin Stracener  
Paralegal